

COMMONWEALTH OF MASSACHUSETTS
State Building Code Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-591

Appellant(s): Leon Jaffe

vz. Appellee(s): City/Town of Newton
John Lojek

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 110.1 of the Massachusetts State Building Code (MSBC) for 1402 Centre Street, Newton, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on July 3, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*. John Lojek was present as well.

Discussion

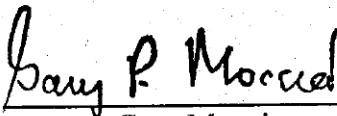
A motion was made to deny the Appellant's request for a variance from 780 CMR 110.1 of the MSBC based upon the fact that a building permit was never applied for or issued for the kitchen renovation work that was done on the building. The board vote on this motion was unanimous.

Conclusion


The Appellant's request for a variance from 780 CMR 110.1 was denied and so ordered² on this date: July 3, 2008.



Douglas Semple



Gary Moccia



Alexander MacLeod

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.